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Counsel for Highland Capital Management, L.P., the Highland Claimant Trust, and James P. Seery, Jr., solely in his capacity as Chief Executive Officer of Highland Capital Management, L.P.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹

Reorganized Debtor.

)
) Chapter 11
)
) Case No. 19-34054-sgj11
)
)
)
)

**DECLARATION OF JOHN A. MORRIS IN SUPPORT
OF THE HIGHLAND PARTIES' OBJECTION TO
HUNTER MOUNTAIN INVESTMENT TRUST'S OPPOSED APPLICATION FOR
EXPEDITED HEARING ON EMERGENCY
MOTION FOR LEAVE TO FILE VERIFIED ADVERSARY PROCEEDING**

¹ Highland's last four digits of its taxpayer identification number are (8357). The headquarters and service address for Highland is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

I, John A. Morris, pursuant to 28 U.S.C. § 1746, under penalty of perjury, declare as follows:

1. I am a partner in the law firm of Pachulski, Stang, Ziehl & Jones LLP, counsel to Highland Capital Management, L.P. (“HCMLP”), the reorganized debtor in the above-referenced bankruptcy case, the Highland Claimant Trust (the “Trust”), and James P. Seery, Jr., solely in his capacity as Chief Executive Officer of HCMLP (“Mr. Seery”, and together with HCMLP and the Trust, the “Highland Parties”), and I submit this declaration (the “Declaration”) in support of the Highland Parties’ response (the “Response”) to *Hunter Mountain Investment Trust’s Application for Expedited Hearing on Emergency Motion for Leave to File Verified Adversary Proceeding* [Docket No. 3700] (the “Motion to Expedite”) being filed simultaneously with this Declaration. This Declaration is based on my personal knowledge and review of the documents listed below.

2. Attached as **Exhibit A** is a true and correct copy of the *Verified Petition to Take Deposition Before Suit and Seek Documents* filed by James Dondero in Cause No. DC-21-09534 on July 22, 2021.

3. Attached as **Exhibit B** is a true and correct copy of the *Verified Amended Petition to Take Deposition Before Suit and Seek Documents* filed by James Dondero in Cause No. DC-21-09534 on May 2, 2022 (the “First 202 Petition”).

4. Attached as **Exhibit C** is a true and correct copy of an *Order* dated June 1, 2022 entered in Cause No. DC-21-09534 denying the First 202 Petition and dismissing the case.

5. Attached as **Exhibit D** is a true and correct copy of a letter (excluding attachments) from Douglas S. Draper to Nan R. Eitel of the Office of General Counsel, Executive Office for U.S. Trustees, dated October 5, 2021.

6. Attached as **Exhibit E** is a true and correct copy of a letter (excluding attachments) from Davor Rukavina to Nan R. Eitel of the Office of General Counsel, Executive Office for U.S. Trustees, dated November 3, 2021.

7. Attached as **Exhibit F** is a true and correct copy of *Petitioner Hunter Mountain Investment Trust's Verified Rule 202 Petition* filed by Hunter Mountain Investment Trust in Cause No. DC-23-01004 on January 20, 2023 (the "Second 202 Petition").

8. Attached as **Exhibit G** is a true and correct copy of the *Declaration of James Dondero* (with Exhibit 1) dated January 15, 2023, filed in Cause No. DC-23-01004.

9. Attached as **Exhibit H** is a true and correct copy of an *Order* dated March 8, 2023 entered in Cause No. DC-23-01004 denying the Second 202 Petition and dismissing the case.

Dated: March 30, 2023

/s/ John A. Morris
John A. Morris